

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by: Todd Vargo

SUBJECT: Plat, P 9-2-02 Shotgun East, Miller Legg & Associates, Inc./GL Homes, 4201 SW 154 Avenue/ Generally located north of Orange Drive, east of I-75, west of Shotgun Road.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS SHOTGUN EAST AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

REPORT IN BRIEF: The applicant requests approval of the resolution for the proposed subdivision plat to be known as Shotgun East. The subject site consists of approximately 1,453,177 square feet (33.36 acres) for the proposed development of a public middle school. The plat provides for the dedication of right-of-way for a southbound right turn lane on SW 154 Avenue (Shotgun Road) at the north 100-foot opening with 400 feet of storage and 100 feet of transition. There is a 28-foot canal maintenance easement along the eastern limits of the plat.

The plat lies within the sensitive East Everglades Archeological Zone of Broward County. An archeological study of this plat was conducted in 1999 by the Archeological and Historical Conservancy, Inc. which reported that one archeological site exists within the property. This site is currently a Local Area of Particular Concern, and may be eligible for listing on the National Register of Historic Places. Staff notes the applicant must enter into an agreement with Broward County and the Town of Davie that specifies a management plan for these archeological resources. In addition, the boundary of the site shall be professionally surveyed, delineated on the plat with site name, Florida Site File number, and preservation agreement designation, and shall be included in the legal description of the plat.

The plat provides for two (2) access openings along SW 154 Avenue (Shotgun Road): one 100-foot opening with centerline located approximately 660 feet south of the north plat limits, and a 100-foot opening located approximately 1320 feet south of the north plat limits.

PREVIOUS ACTIONS: None

CONCURRENCES: At the January 8, 2003, Planning and Zoning Board meeting, Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve subject to the Deed Restriction recommended by Town Council. Motion carried 5-0.

FISCAL IMPACT: None

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s): Plat, Resolution, Future Land Use Map, Zoning and Aerial Map

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS SHOTGUN EAST AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as Shotgun East has been approved by the Town Planning and Zoning Board on January 8, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat of the subdivision known as Shotgun East is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2003.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2003.

Application #: P 9-2-02/Shotgun East
Exhibit "A"

Revisions: 1/30/2003
Original Report Date: 1/3/03

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

<u>Owner:</u>	<u>Agent/Council:</u>
Name: GL Homes	Name: Miller Legg & Assoc.
Address: 1401 University Drive	Address: 1800 North Douglas Road
City: Coral Springs, FL 33071	City: Pembroke Pines, FL 33024
Phone: (954) 753-1730	Phone: (954) 436-7000

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Approval of the resolution for the proposed boundary plat to be known as Shotgun East.

Affected District: District 4

Address/Location: 4201 SW 154 Avenue (Shotgun Road)/Generally located north of Orange Drive, east of I-75.

Future Land Use Plan Designation: Residential-1 (1 DU/AC)

Existing Use: Vacant

Existing Zoning: CF (Community Facilities)

Proposed Use: public middle school

Parcel Size: 33.36 acres (1,453,177 square feet)

Surrounding Existing Use:

North: Vacant
South: C-11 Canal
East: Residential (Riverstone Plat)
West: I-75

Surrounding Future Land Use Plan Designation:

North: Residential-1 (1 DU/AC)
South: Transportation
East: Residential-1 (1 DU/AC)
West: Transportation

Surrounding Zoning:

North: AG, Agricultural District
South: T, Transportation District
East: E, Estate District
West: T, Transportation District

ZONING HISTORY

Previous Requests on Same Property: This parcel is subject to a 1995 Settlement Agreement commonly referred to as the “Imagination Farms” Agreement.

On December 11, 2002, the Planning and Zoning Board recommended approval of ZB 9-2-02, a request to rezone the parcel from A-1, Agricultural District, to CF, Community Facilities. At the January 2, 2003, Town Council meeting, a motion was made to approve the rezoning subject to a voluntary deed to restrict the site to only be used as a public school. In addition, the Town agreed that if the Broward County School Board chooses not to utilize the site for a public school, the parcel will be zoned back to A-1, Agricultural District. Upon approval of the rezoning back to A-1, the Town of Davie agreed to release the deed restriction, as necessary. The second and final reading was heard and approved by Town Council on January 15, 2003.

APPLICATION DETAILS

The applicant’s submission indicates the following:

1. The site area consists of approximately 33.36 acres (1,453,177 square feet) for the proposed development of a 240,000 square foot public middle school.
2. This plat lies within the sensitive East Everglades Archeological Zone of Broward County. An archeological study of this plat was conducted in 1999 by the Archeological and Historical Conservancy, Inc. which reported that one archeological site exists within the property. This site is currently a Local Area of Particular Concern, and may be eligible for listing on the National Register of Historic Places. Staff notes the applicant must enter into an agreement with Broward County and the Town of Davie that specifies a management plan for these archeological resources. In addition, the boundary of the site shall be professionally surveyed, delineated on the plat with site name, Florida Site File number, and preservation agreement designation, and shall be included in the legal description of the plat.

3. A limited access line and a non-vehicular access line (NVAL) along the western limits of the plat. An NVAL also exists on the eastern limit of the plat, breaking for two access openings, described below.
4. On its east side, along SW 154 Avenue (Shotgun Road), the plat provides for two (2) access openings: one 100-foot opening with centerline located approximately 660 feet south of the north plat limits, and a 100-foot opening located approximately 1320 feet south of the north plat limits.
5. The dedication of right-of-way for a southbound right turn lane on SW 154 Avenue (Shotgun Road) at the north 100-foot opening with 400 feet of storage and 100 feet of transition.
6. A 28-foot canal maintenance easement along the eastern limits of the plat.
7. The note restricting the plat to a 240,000 square foot public middle school.

APPLICABLE CODES AND ORDINANCES

Section 12-360(B)(1) of the Land Development Code, platting requirements.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 113.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/ Findings of Fact

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, use, location and size.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.

Planning and Zoning Board Recommendation

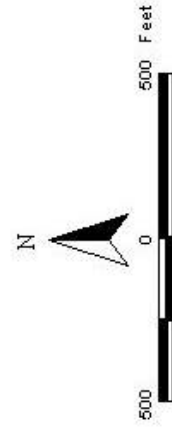
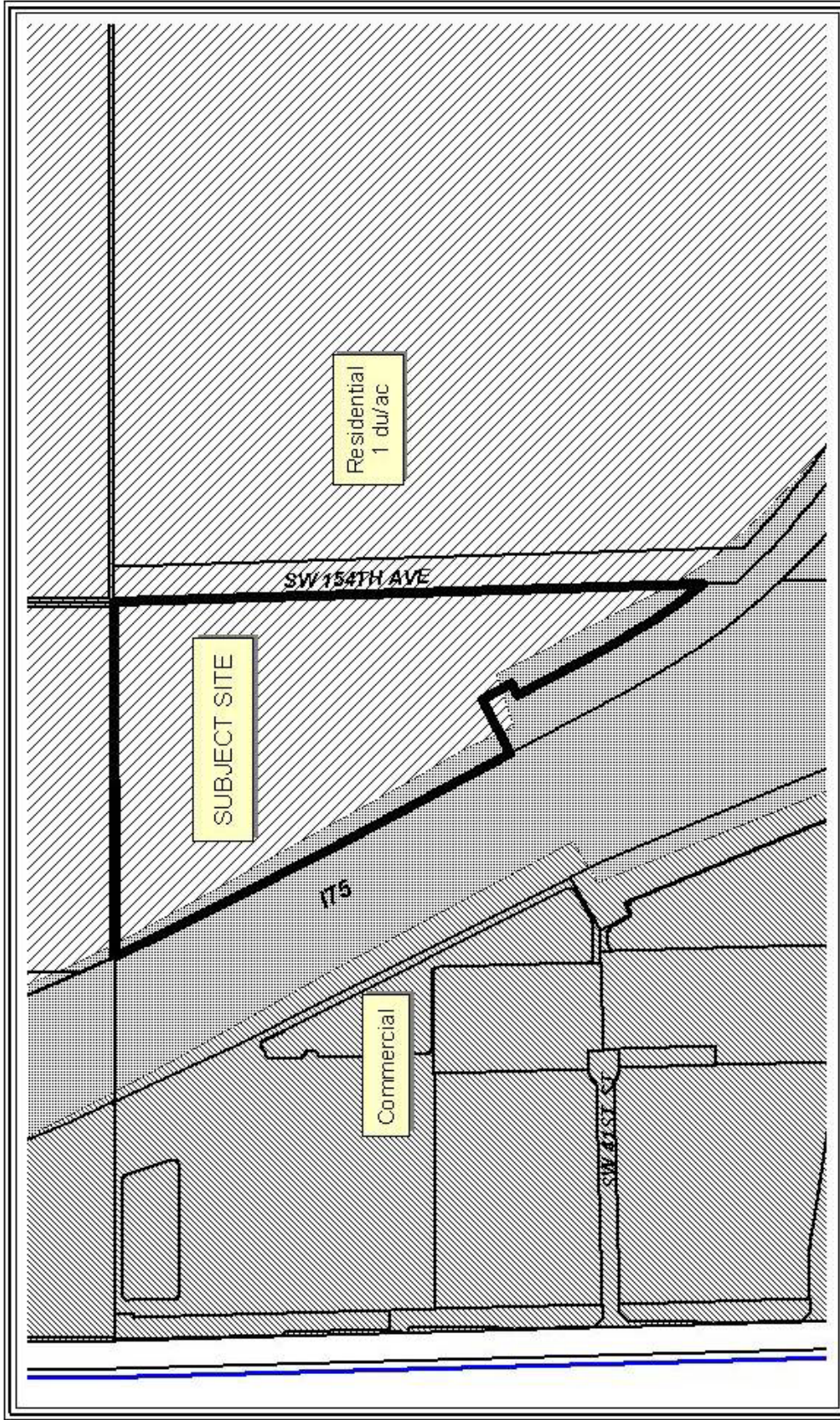
At the January 8, 2003, Planning and Zoning Board meeting, Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve subject to the Deed Restriction recommended by Town Council. Motion carried 5-0.

Exhibits

1. Plat
2. Future Land Use Map
3. Zoning and Aerial Map

Prepared by: _____

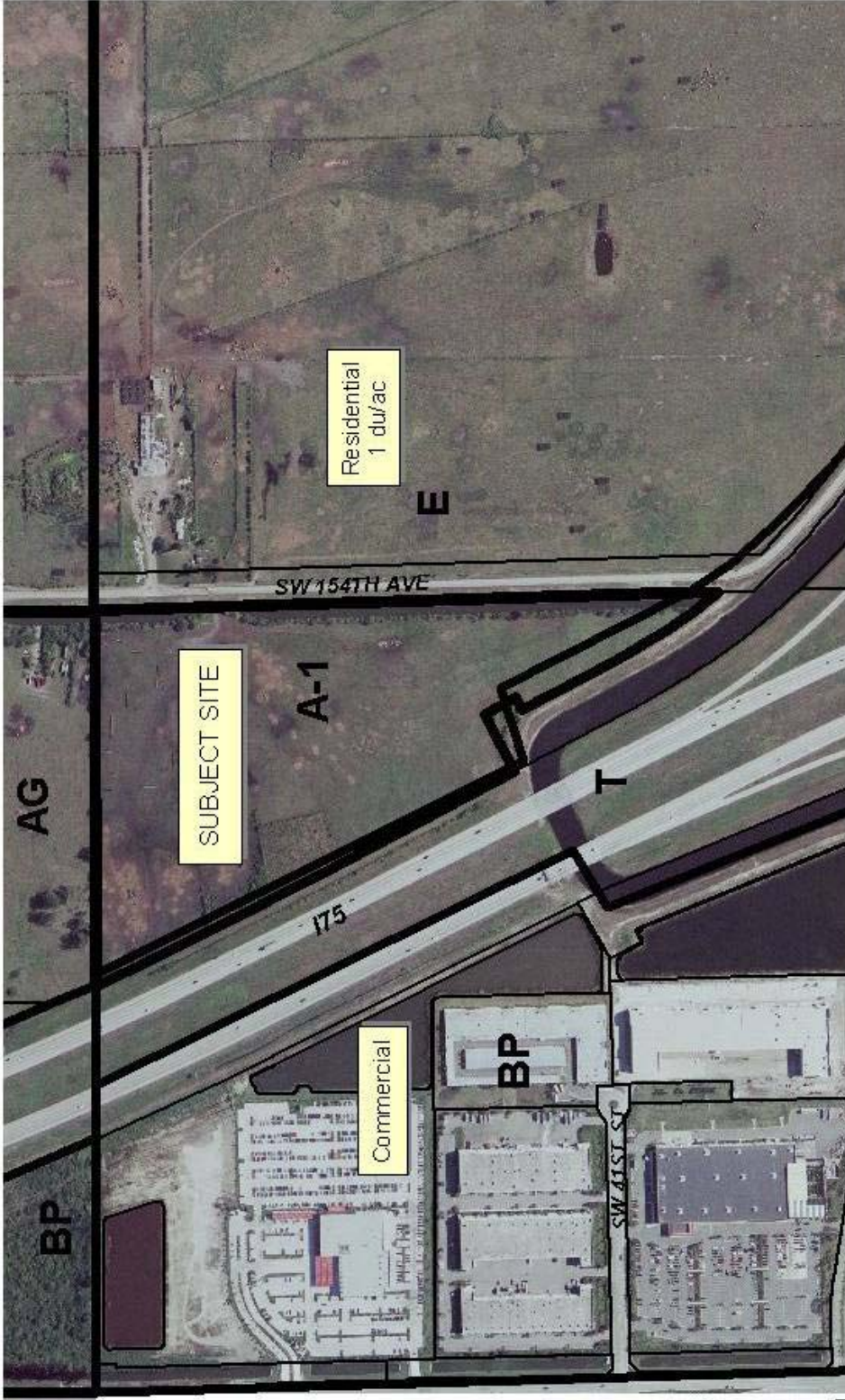
Reviewed by: _____



Planning & Zoning Division - GIS

PLAT P 9-2-02 Future Land Use Map

Prepared by: ID
Date Prepared: 10/21/02



Date Flown:
12/31/01



Planning & Zoning Division - GIS



PLAT **P 9-2-02** **Zoning and Aerial Map**

Prepared by: ID
Date Prepared: 10/21/02